

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

MARK GOTTSLEBEN, individually and on behalf
of all others similarly situated,

Plaintiff,

vs.

INFORMA MEDIA, INC. F/K/A PENTON MEDIA,
INC.,

Defendant.

CASE NO. 1:22-cv-00866-HYJ-RSK
CLASS ACTION

Chief Judge Hala Y. Jarbou
Magistrate Judge Ray Kent

**DEFENDANT INFORMA MEDIA, INC.'S
MOTION TO DISMISS FIRST AMENDED COMPLAINT**

Defendant Informa Media, Inc. (“Defendant”) respectfully requests that the Court dismiss the First Amended Complaint (Dkt. No. 16) of Plaintiff Mark Gottsleben (“Plaintiff”), with prejudice, pursuant to Federal Rule of Civil Procedure 12(b)(6). In support of this Motion, Defendant hereby submits the attached Memorandum and states as follows:

1. The action is barred, in its entirety, by the applicable statute of limitations.
2. Even if the action is not time-barred, Plaintiff fails to plead facts sufficient to state a claim for violation of Michigan’s Preservation of Personal Privacy Act, H.B. 5331, 84th Leg. Reg. Sess., P.A. No. 378, §§ 1-4 (Mich. 1988), *id.* § 5, added by H.B. 4694, 85th Leg. Reg. Sess., P.A. No. 206, § 1 (Mich. 1989) (the “PPPA”). The Complaint includes no facts whatsoever about the disclosure of any customer information, including Plaintiff’s information, by Defendant.

In accordance with W.D. Mich. LCivR 7.1(d), Defendant sought Plaintiff’s concurrence in this Motion by email correspondence on January 7, 2023. Plaintiff’s counsel indicated that Plaintiff opposes the relief sought herein.

DATED: January 10, 2023

Respectfully submitted,

BLANK ROME LLP

By: /s/ Ana Tagvoryan

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Attorneys for Defendant
INFORMA MEDIA, INC.

CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys or parties of record.

By: /s/ Ana Tagvoryan
Ana Tagvoryan